

Practitioner's Docket No. MWH-0303US2**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Drysdale, Connie M.; Judson, Richard S.; Liggett, Stephen B.;
Nandabalan, Krishnan; and Stephens, J. Claiborne.

Application No.: 09/811,285
Filed: March 16, 2001

Group No.: 1646
Examiner: Joseph F. Murphy

For: ASSOCIATION OF BETA2-ADRENERGIC RECEPTOR HAPLOTYPES WITH DRUG
RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT TO CLAIMS
(37 CFR §1.115 and MPEP 714.01(e))

This preliminary amendment is submitted in response to the telephonic restriction made on June 6, 2002. This paper is filed pursuant to MPEP 714.01(e) and is in compliance with 37 CFR, §1.115. The differences between the claims as filed and amended are shown below with underlines indicating added material and brackets indicating deleted material.

IN THE SEQUENCE LISTING

Please add SEQ ID NOS:19-30 to the sequence listing.

IN THE CLAIMS

~~Please cancel claims 2, 6, 13-20 and 25-28 without prejudice or disclaimer.~~

Please amend claim 1 as follows:

1. (amended) An isolated polynucleotide comprising a nucleotide sequence selected from the group consisting of:
 - (a) a first nucleotide sequence which is a polymorphic variant of a reference sequence for the β_2 -adrenergic receptor (β_2 AR) gene, wherein the polymorphic variant is a β_2 AR isogene [or a fragment thereof, wherein the reference sequence comprises SEQ ID NO:1 and the polymorphic variant comprises at least one polymorphism selected from the group consisting of adenine at PS2 and thymine at

5/8
M. J. J.
6/20/02